

Public Business Meeting Minutes

Thursday, July 23, 2026 - 5:00 PM

*Allegany County Office Building, 701 Kelly Road, Allegany Room 100
Cumberland, Maryland 21502*

WE ASK THOSE CITIZENS WISHING TO ADDRESS THE BOARD TO REGISTER ON THE SIGN-UP SHEET AND CONDENSE THEIR COMMENTS TO FIVE MINUTES OR LESS. THIS WILL ALLOW AN OPPORTUNITY FOR EVERYONE WISHING TO COME FORWARD TO HAVE A CHANCE TO SPEAK. WE WILL CONDUCT OUR MEETING IN AN ORDERLY FASHION AND ASK THAT EVERYONE WISHING TO SPEAK FIRST BE RECOGNIZED BY THE PRESIDENT, COME TO THE MICROPHONE, AND GIVE HIS OR HER NAME AND ADDRESS PRIOR TO THEIR COMMENTS.

1. Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

2. Call to Order & Roll Call

The regular meeting of the County Commissioners of Allegany County was held in the Commissioners' Meeting Room, Allegany Room 100, 701 Kelly Road, Cumberland, at 05:00 PM on 7/23/2026. Present: County Commissioner Creade V. Brodie, Jr., County Commissioner William R. Atkinson, County Commission President David J. Caporale, County Administrator Jason Bennett, County Attorney Lee Beeman.

3. Approval of Agenda

There were no additions or deletions to the agenda. Upon Motion made by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and duly carried, the Agenda for this public business meeting was approved by the Board of County Commissioners.

4. Statement of Closed Meeting

- A. Statement Regarding the Closed Session Held on Thursday, July 9, 2026 at 3:00pm - T. Lee Beeman, Jr., County Attorney

Attorney Beeman read a statement regarding the closed session. A copy of this statement is attached to these minutes.

5. Approval of Previous Meetings Minutes

A. Approve the Public Business Meeting Minutes from July 9, 2026

Upon Motion made by County Commissioner William R. Atkinson, seconded by County Commissioner Creade V. Brodie, Jr., and duly carried, the Minutes from the previous public business meeting were approved by the Board of County Commissioners.

6. Presentations

A. Miss Allegany County Teen Volunteer Introduction/Recognition - **Delanie Graham**

Miss Delanie Graham introduced herself and discussed her platform for her role as Miss Allegany County Teen Volunteer. She will be representing Allegany County while competing in the Miss Maryland Teen Volunteer competition next week.

7. Public Hearing

8. Action Agenda & Public Comment

A. Accept and Authorize the President of the BOCC to Sign the SFY 2027/FFY 2026 Homelessness Solutions Program Grant Agreement - **David Nedved, Community Development Representative, Department of Economic and Community Development**

Allegany County Government has been the grantee in Allegany County for the Homelessness Solutions Program for the past nine years. Prior to that, it was the grantee for the Emergency Solutions Grant Program for seven years. Prior to that, it was the grantee for the Emergency Shelter Grant Program for twenty-one years.

The federal Emergency Shelter Grant (ESG) Program was created by the Homeless Housing Act of 1986 and incorporated into the McKinney-Vento Act in 1987. It was in effect until May 2009, when the HEARTH Act officially renamed and restructured it into the Emergency Solutions Grant program.

In 2017, in Maryland, the Homelessness Solutions Program (HSP) officially launched following a series of state legislative shifts that transferred the Homeless Services Bureau from the

Department of Human Services to the Maryland Department of Housing and Community Development (DHCD). Rather than completely replacing the federal program, the state designed the HSP to blend and streamline six distinct funding sources into a single application, which included ESG.

Allegany County will receive a SFY 2027/FFY 2026 Homelessness Solutions Program Grant (HSP) award of \$361,573. This breaks down further as \$346,666 on behalf of the Human Resources Development Commission (HRDC), and \$14,907 on behalf of the Allegany County Department of Social Services (ACDSS).

Overall, there has been a decrease of \$66,412 in Homelessness Solutions Program Grant funding awarded this year compared to last year's awarded amount.

Mr. Nedved is requested the Board of County Commissioners authorize the President to sign the Grant Agreement for the SFY 2027/FFY 2026 Homelessness Solutions Program Grant funding. This would be on behalf of the Human Resources Development Commission and the Allegany County Department of Social Services. Further, he is requesting the Board authorize the President to sign Sub-recipient Agreements with both of these organizations for the administration of the SFY 2027/FFY2026 Homelessness Solutions Program Grant. Lastly, I am requesting the Board authorize the President to sign any needed Amendments to SFY 2027/FFY 2026 Homelessness Solutions Program Grant.

No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

B. Award the Contract for On-Call Electrical Services for the Utilities Division to Freestate Electric - Adam Patterson, P.E., Director, Department of Public Works

This contract is needed as a result of not being able to keep an electrician within the County's Utilities Division. There was one for a period of time who retired, and since then there were two gentlemen worked for the County short term. The Department of Public Works posted a request for letters of interest to help cover work needing done by a certified electrician. Two interested companies sent in letters, and were then asked to provide bids for on-call electrical services and DPW is now recommending awarded a contract to Free State Electric. No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

C. Award the Bid for Depot Road Waterline Replacement, Contract W-59 to First Fruits Excavating, Inc. - Adam Patterson, P.E., Director, Department of Public Works

With the Maryland Department of Environment's help, the County was successfully awarded money last year to build a public water system to be maintained by the County on Depot Road, just outside of Frostburg. This project was designed in-house and bids were opened on July 10th. After reviewing the bids, and verifying enough property owners/customers were interested in paying the proposed rates based upon a 79% grant/21% loan, the most responsive bid was provided by First Fruits Excavating in the amount of \$298,750. No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- D. Adopt Resolution 26-14 and Authorize Signatures on the FY27 Certifications and Assurances for Transit - Elizabeth Robison-Harper, Transit Chief

It is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder. These assurances state that the County is capable of managing the funds and that the County can meet the local match. The assurances for the Equal Rights section state the County will treat everyone the County services equally and the County will hire employees with no discrimination. The other assurance needed is that the County is 100% lift equipped and accessible to people with disabilities. No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: None. No: None. Abstain: None.

- E. Award Contract ACRD-26-01 - County Road Rehabilitation Project to Belt Paving, Inc. - Dan DeWitt, P.E., County Engineer, Department of Public Works

The County receives a certain amount of money each year from Maryland State Highway Administration that goes into the pot the County calls "State Aid Paving". That money requires the County to match 20% of the project cost and the State contributes the remaining 80%. This project was put out to bid and one bid was received from Belt Paving in the amount of \$1,381,220.15, which came in under the estimated cost of the project. Pavement improvements will be done to a variety of road in the Bel Air area, Pleasant Valley Road, Welsh Hill, Cash Valley Road, and some other areas based on recommendations made from the Roads Division. This project will be subject to approval from State Highway after receiving local approval from the Commissioners. No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- F. Approve Purchase of New 2025 Peterbilt 548 Single-Axle Dump Truck for Allegany County DPW Roads Division - Dan DeWitt, P.E., County Engineer, Department of Public Works

As part of an ongoing effort to update the fleet of equipment utilized by the Allegany County Department of Public Works - Road Division (ACDPW - RD), staff have identified a new 2025 Peterbilt 548 Dump Truck sold by Hunter Truck - Butler, 519 Pittsburgh Rd, Butler, PA 16002. This vehicle would be purchased for \$238,804 and would allow ACDPW - RD to continue updating its existing fleet of equipment. No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- G. Approve Purchase of New 2026 Ford F-250 Pickup Truck for Allegany County DPW Roads Division - Dan DeWitt, P.E., County Engineer, Department of Public Works

As part of an ongoing effort to update the fleet of equipment utilized by the Allegany County Department of Public Works - Road Division (ACDPW - RD), staff have identified a new 2026 Ford

F-250 pickup truck sold by Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE, 19963. This vehicle would be purchased for \$49,433 and would allow ACDPW - RD to continue updating its existing fleet of equipment. No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- H. Approve and Authorize the Director of Emergency Services to Sign an MOU with UPMC Western Maryland - Roger Bennett, Director, Department of Emergency Services

The purpose of this Memorandum of Understanding would be to establish a continued partnership between the Allegany County Department of Emergency Services and UPMC Western Maryland to support the County's Mobile Integrated Health (MIH) Program. The program is designed to improve community health by proactively assisting individuals who frequently utilize emergency medical services or are at higher risk for hospital readmissions. This program will be grant funded.

Attorney Beeman explained this MOU is contingent upon grant approval, which we expect in the next few weeks. The Commissioner's motion would be for a contingent approval, upon the award of the grant, to authorize Administrator Bennett to sign the MOU.

No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- I. Execute Right-of-Entry with Maryland Economic Development Corporation for Barton Business Park Pad Site Development and Authorize Notice to Proceed with Carl Belt, Inc. in the amount of \$430,751 — Jeffrey S. Barclay, Director, Department of Economic and Community Development

The bid to do the work was awarded in June to Carl Belt in the amount of \$430,751. Maryland Economic Development Corporation (MEDCO) actually owns the property where the pad sites are located and the County has to execute a right of entry with MEDCO so the County and the contractors can access the property to do the work. No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- J. Approve Second Addendum to Lease Agreement for 18 E. Main Street (Tech Incubator and Lyric Theater) — Jeffrey S. Barclay, Director, Department of Economic and Community Development

Allegany County Department of Economic and Community Development currently leases the office space located at 20 E Main St. in Frostburg, MD 21532, for the purposes of developing a tech incubator. DECD would like to also lease the theater space, known as "The Lyric Theater", comprised of 5,033 square feet on the first floor of the building, for the purposes of hosting events related to the incubator, as well as opening the space to the public.

With the Second Addendum, the theater space rent is reduced from \$1,000/month to \$500/month. Each event we book would likely be \$300 per event, with a goal of booking at least two events per month. The Lessor has also agreed to purchase tables, chairs, and a refrigerator to

allow a better opportunity for us to lease the space for events.

No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

9. Consent Agenda & Public Comment

Upon Motion by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and Motion carried, the Board of County Commissioners approved and adopted the Consent Agenda as recommended by the County Administrator.

- A. Approve a Community Promotion Request from Savage Mountain Punk Festival in the amount of \$1,500

This will be for three different events held throughout the year. No one signed up to speak on this agenda item.

- B. Approve the Appointment of Lisa McKenney to the Local Board of Social Services

This will be for a three-year term expiring July 23, 2029. No one signed up to speak on this agenda item.

- C. Accept the FY27 Child Advocacy Center Services Grant in the amount of \$43,584

This is for Jane's Place to help with operational costs. No one signed up to speak on this agenda item.

- D. Accept the FY27 State Opioid Response IV Grant Funding in the amount of \$363,269 and Authorize Detention Center Administration to Sign the MOU with the Local Behavioral Health Authority

This funding provides for 100% of the MAT program and a significant portion in support of the Reentry Program operational costs. No one signed up to speak on this agenda item.

- E. Accept the FY27 Performance Incentive Grant Funding in the amount of \$227,497

This is for operational costs and support of Reentry and Pretrial Supervision. No one signed up to speak on this agenda item.

- F. Accept the FY27 State Aid for Police Protection Fund Grant in the amount of \$351,359

This is for the Sheriff's office to provide adequate police protection throughout the year. No one signed up to speak on this agenda item.

- G. Accept the FY27 Police Recruiting & Retention Grant in the amount of \$11,999

This will help support the Sheriff's Office's Police Recruiting and Retention Program throughout the year. No one signed up to speak on this agenda item.

- H. Accept the FY27 Gun Violence Reduction Grant in the amount of \$5,250

This funding will help cover overtime in the Sheriff's Office. No one signed up to speak on this agenda item.

- I. Accept the FY26 Allegany County State's Attorney Office Special Assistance US Attorney Funding Grant in the amount of \$149,997

This funding will be dedicated to the purchase of equipment in the State's Attorney's office. No one signed up to speak on this agenda item.

- J. Accept the FY27 Allegany County State's Attorney Office Performance Incentive Grant Funding in the amount of \$92,119

This will help support personnel, overtime, and essential supplies needed to operate the State's Attorney's Office's Diversion Program. No one signed up to speak on this agenda item.

- K. Accept the FY27 Allegany County State's Attorney Office Gun Violence Reduction Grant in the amount of \$54,329

This will be for the prosecution of firearm-related offenses through the State's Attorney's office. No one signed up to speak on this agenda item.

- L. Accept the FY27 Victims Office of Crime Act Program's Support and Services Grant in the amount of \$191,445

This funding provides for two full-time Victim Rights Advocates and the regular therapist's extended hours and an additional contractual therapist to help with waitlist reduction for Jane's Place. No one signed up to speak on this agenda item.

- M. Accept the FY27 Regional Navigator Grant in the amount of \$77,359

This will support staffing for Jane's Place. No one signed up to speak on this agenda item.

- N. Accept the Grant Adjustment Notice Received from the Maryland Department of Emergency Management for the FY25 Emergency Management Performance Grant

This will be in the total amount of \$72,654.03. No one signed up to speak on this agenda item.

- O. Accept the Grant Award Notification Received from the Maryland Department of Emergency Management for the FY25 State Homeland Security Program Grant

This funding is in the amount of \$92,150.09. No one signed up to speak on this agenda item.

- P. Authorize Signatures for the FY23 State Homeland Security Program Grant Extension

This is for a grant that is now closed but requires paperwork to be completed and signed. No one signed up to speak on this agenda item.

10. General Public Comment

Constituents – In order of sign-up sheet:

- Chelsea Boor of 11715 Trenton St NE in Cumberland - A candidate for Allegany County Commissioner, questioned motives behind business transactions made by the County.

- Nina Forsythe of 53 Centennial St in Frostburg - Brought up concerns she has researched regarding data centers.

11. Reports

A. County Administrator

The application for the Rocky Gap Local Development Council funds is now available on the website and will close the end of July. Those funds would be for any non-profit organization or municipality with capital needs.

B. County Attorney

Had no further comments to add at this evening's meeting.

12. Commissioner Comments

- Commissioner Atkinson - Addressed comments made by a member of the public during the public comment section regarding funds used by Economic Development not being taxpayer dollars, the town of Lonaconing's water debt, and Commissioner Brodie.
- Commissioner Brodie - Addressed and responded to comments made about him.
- Commissioner Caporale - Welcomed everyone out to the Fair and mentioned the drone show and fireworks scheduled for Friday night.

A. Acknowledgment of Open Meetings Act Violation, 20 Official Opinions of the Compliance Board 228 (226) - David J. Caporale, President of the Allegany County Board of County Commissioners

On July 15, 2026, the Open Meetings Compliance Board issued a decision concerning a closed session held by the Allegany County Board of County Commissioners on April 17, 2025.

At the time of the meeting, the Board acted in good faith, believing that the business location exception to the Open Meetings Act applied to the matter before it. The Open Meetings Compliance Board later determined that the exception did not apply and found that the Board violated the Act by discussing and approving the lease agreement in closed session.

13. Reminders/Upcoming Meetings

A. Anticipated BOCC Public Work Session - Thursday, August 6, 2026 (Details and Time TBA)

B. BOCC Public Business Meeting - Thursday, August 6, 2026, 5:00pm

14. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:46 PM.

STATEMENT REGARDING THE CLOSED SESSION HELD ON
THURSDAY, JULY 9, 2026, AT 3:00 P.M., ROOM 230

The Board of County Commissioners, at a meeting convened on Thursday, July 9, 2026, upon a motion by Commissioner Atkinson, and duly seconded by Commissioner Caporale, voted unanimously to go into a closed session. The meeting time and place and the purpose of the meeting were provided in a public notice distributed prior to the meeting. The notice was provided in the same manner, and also to the same entities, that receive the Commissioners' regular business meeting notices.

The meeting was closed in accordance with the General Provisions Article of the Annotated Code of Maryland, Section 3-305, and the purposes for which the meeting was closed were as follows:

1. To conduct collective bargaining negotiations or consider matters that relate to the negotiations, specifically related to the Labor-Management Agreement with IAFF #1715 representing employees of the Department of Emergency Services (General Provisions Article § 3-305(b)(9));
2. To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, specifically related to the appointment of potential members to the Animal Control Board (General Provisions Article § 3-305(b)(2)(i));
3. To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State, specifically related to a proposal received by the Department of Economic & Community Development for a new business to locate in the State (General Provisions Article § 3-305(b)(4)); and
4. To consult with counsel to obtain legal advice concerning each of the foregoing matters (General Provisions Article § 3-305(b)(7)).

Those persons present during all or part of the closed session were County Commissioners David J. Caporale, William R. Atkinson, and Creade V. Brodie, Jr. (except as noted recused below); Jason M. Bennett, County Administrator; T. Lee Beeman, Jr., County Attorney; Kristi Liller, Director of Human Resources (Item 1); Roger Bennett, Director of Emergency Services (Item 1); Kati Kenney, Public Relations & Communications Manager (Item 2); Jeffrey Barclay, Director of Economic & Community Development (Item 3); and Madison Taylor, Recording Secretary.

Item 1. Collective Bargaining Negotiations with IAFF #1715. - Counsel presented the County Commissioners an update regarding negotiation of latest Labor-Management Agreement with IAFF 1715, representing the Department of Emergency Services employees. Counsel presented proposals from IAFF and discussed management's proposals and counters. The Board of County Commissioners provided guidance and authority to Counsel and Staff regarding negotiations.

Item 2. Animal Control Board Appointments. - Staff presented information regarding applicants for appointment to the Animal Control Board. The Board discussed applicant qualifications, professional experience, residency considerations, potential conflicts of interest, and veterinary representation on the Board. The Board provided direction regarding further evaluation of certain applicants and requested review of potential amendments to the County Code concerning Board membership qualifications.

Item 3. Business Relocating Within the State (Commissioner Brodie – Recused) – Item 3 proceeded discussion upon Commissioner Brodie recusing himself and leaving the meeting room. Staff presented a proposal received from a business seeking to locate and do business within Allegany County, Maryland. Discussion included the status of negotiations, due diligence activities, potential incentives, and related legal matters. The Board provided direction regarding continued negotiations and future due diligence efforts.

There being no further business, the meeting was adjourned at approximately 4:37 p.m.